

# **EXHIBIT E**

**Affidavit of Brian K. Murphy**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**VISHVA DESAI and PHILIP J. CHARVAT, on  
behalf of themselves and others similarly situated,**

**Plaintiffs,**

**v.**

**Case No. 1:11-cv-1925**

**ADT SECURITY SERVICES, INC.,**

**Defendant.**

**AFFIDAVIT OF BRIAN K. MURPHY**

I, Brian K. Murphy, being duly sworn, testify and state under penalty of perjury that the following is true and accurate to the best of my knowledge:

1. I am over the age of eighteen (18). I am an adult individual under no legal disabilities and I am competent to make this affidavit based upon my own personal knowledge.
2. I am a partner in the law firm of Murray Murphy Moul + Basil LLP, located at 1533 Lake Shore Dr., Suite 150, Columbus, Ohio 43204 and have been a partner since June 1, 1999. From approximately September 1, 1994 to June 1 1999, I worked as an attorney at the law firm of Jenner & Block, Chicago, Illinois.
3. I am a member in good standing of both the Illinois and Ohio bars.
4. This firm Murray Murphy Moul + Basil LLP has significant experience in complex litigation, including class actions in Illinois and elsewhere. For example, this firm served as lead counsel in the matter of Violette, et al v. P.A. Days, Inc. and Violette and Adkins v. Ricart Properties, et al., (S. D.

Ohio, Case No. C2-01-1254), two certified class action, finally settled and approved by two Orders and Final Judgments. Similarly, this firm served as co-lead counsel in the certified class action of Mick v. Level Propane Gases, Inc., 203 F.R.D. 324 (S.D. Ohio 2001) (Sargus, J.)

5. The firm also served as lead counsel in four other class actions that have been finally resolved in favor of the classes: Downes v. Ameritech Corp., et al., Case No. 99 CH 11356 (Cook County, IL), Bellile v. Ameritech Corp., et al., Case No. 99-925403-CP (Wayne County, MI), Gary Phillips & Assoc. v. Ameritech Corp., 144 Ohio App. 3d 149, 759 N.E.2d 833 (Franklin County, OH), and Prestemon, et al v. Echostar Communication and WebTV Networks, Case No. 2002-053014 (Alameda Cty, California Sup. Court).
6. The Firm served as Co-Lead Counsel in the certified class action of Mick v. Level Propane Gases, Inc., 203 F.R.D. 324 (S.D. Ohio 2001) (Sargus, J.) and has also appeared in the United States Supreme Court in a putative class action. Household Credit Services, et al v. Pfennig, 124 S.Ct 1741 (2004).
7. Murray Murphy Moul + Basil LLP has served as Liaison Counsel for the Lead Counsel and Lead Plaintiff in the securities class actions captioned, In re Cardinal Health, Inc. Securities Litigation, Case Number: 2:04-cv-575 (Marbley, J.), Ross v. Abercrombie & Fitch Co., et al., Case Number 2:05-cv-819 (Sargus, J.), and Gruhn v. Tween Brands, Inc., et al., Case Number 2:07-cv-852 (Frost, J.).
8. Murray Murphy Moul + Basil LLP serve as Special Counsel to the Ohio Attorney General in connection with two class actions involving

instrumentalities of the State of Ohio that have been appointed Lead Plaintiff (or Co-Lead) in securities litigation, In re Marsh & McLennan Companies, Inc. Sec. Litig., 1:04-CV-8144 (S.D.N.Y.) and In re Mutual Funds Investment Litigation (In re Pilgrim Baxter), 04-MD-15862 (Dist. Maryland). Murray Murphy Moul + Basil LLP was not counsel of record in either case.

9. Before joining Murray Murphy Moul + Basil LLP, partners of the firm defended innumerable class actions. For example, members of the firm have defended numerous class actions, including, but not limited to, dozens of putative class actions on behalf of General Motors and Saturn Corporation. See, e.g., Briehl, et al. v. General Motors, et al., 172 F.3d 623 (8<sup>th</sup> Cir. 1999)(MDL class action litigation).

**/s/Brian K. Murphy**

Brian K. Murphy  
Counsel for Plaintiffs